

REMARKS

The Office has indicated that “[c]laims 1-8 are generic to a plurality of disclosed patentably distinct species comprising PTH antagonists.” Therefore, the Applicant notes that upon indication that these generic claims are allowable, nonelected species that incorporate all of the limitations of the generic claims will also be held allowable. *See* 37 C.F.R. § 1.141, MPEP §§ 806.4(d), and 809.02(a). If the designated generic claims are determined to be allowable, the Applicant is entitled to a reasonable number of species encompassed by these claims. *See* MPEP § 809.02(b).

Applicant expressly reserves the right under 35 U.S.C. § 121 to file a divisional application directed to nonelected subject matter during the pendency of this application.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **532212000200**.

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Respectfully submitted,

By 

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